

In The United States Court of Federal Claims

No. 08-50T

(Filed: June 28, 2010)

TIMOTHY L. JENKINS,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On March 11, 2010, the court issued a pre-trial scheduling order requiring plaintiff to file his pretrial filings on or before May 24, 2010. Plaintiff failed to meet this deadline. On June 24, 2010, after being contacted by the court, plaintiff filed a motion for enlargement of time within which to file his Appendix A filings, seeking to extend the deadline to June 24, 2010. Plaintiff's pretrial filings were attached to this motion. The court will treat this as a motion for enlargement filed out of time. Although the court has difficulty in accepting plaintiff's explanation for this motion, the motion, nevertheless, is hereby **GRANTED**. The Clerk shall file plaintiff's pretrial filings.

Pursuant to ¶ 4(a)(i) of the Special Procedures Order filed May 6, 2008, motions for enlargement filed out of time by a plaintiff must contain a certification that the client has been notified that the motion for enlargement has been filed out of time. Plaintiff's motion did not contain this certification. Accordingly:

1. Plaintiff's counsel shall provide to her client a copy of her June 24, 2010, motion for enlargement, as well as this order; and
2. On or before July 8, 2010, Plaintiff's counsel shall file a notice with the court indicating her compliance in this regard.

IT IS SO ORDERED.

s/ Francis M. Allegra
Francis M. Allegra
Judge